

## Message Text

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PAGE 01 CAPE T 00133 290919Z

ACTION AF-08

INFO OCT-01 ISO-00 PM-04 NSC-05 SP-02 SS-15 CIAE-00

DODE-00 INR-07 NSAE-00 PA-01 USIA-06 PRS-01 L-03

SCA-01 CPR-01 /055 W

-----291153Z 108441 /20

R 290820Z JAN 77

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC 5664

INFO AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

AMEMBASSY PRETORIA

LIMITED OFFICIAL USE CAPE TOWN 0133

E.O. 11652: N/A

TAGS: SHUM, PINS, SF

SUBJ: CONSULAR OFFICERS REFUSED ADMISSION TO

JOHANNESBURG RESTAURANT

REF: CAPE TOWN 0127

1. DCM HAD OPPORTUNITY THIS MORNING TO SPEAK FURTHER WITH FOURIE ABOUT FREEDOM OF RESTAURANTS TO SERVE BLACKS. HE RECONFIRMED THAT "THERE IS NO LEGAL BAR WHATSOEVER" TO SERVING OF ANY FOREIGN DIPLOMAT ANYWHERE IN SOUTH AFRICA. (PRESS TODAY, JAN 28, CARRIES DFA SPOKESMAN STATEMENT TO THAT EFFECT IN CONNECTION WITH JAN 26 INCIDENT INVOLVING U.S. CONSUL IN JOHANNESBURG.) WITH REGARD TO OTHERS, HOWEVER, FOURIE SUBSTANTIVELY MODIFIED WHAT HE HAD TOLD DCM YESTERDAY CONCERNING OTHER FOREIGNERS AND SOUTH AFRICANS.

2 "VERY MANY" ESTABLISHMENTS, HE SAID, ARE OPEN WITHOUT LEGAL RESTRICTION TO BLACK SOUTH AFRICANS. HE WAS NOT ENTIRELY SURE ABOUT THE PRECISE SITUATION PERTAINING TO NON-DIPLOMATIC BLACK FOREIGNERS. "TO BEST OF MY KNOWLEDGE," SUCH PERSONS,  
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PAGE 02 CAPE T 00133 290919Z

IF THEY ARE ABLE TO DOCUMENT THEIR FOREIGN NATIONALITY, "WOULD BE IN A BETTER POSITION" AND COULD BE LEGALLY ADMITTED TO "MOST" RESTAURANTS. HE STRESSED AGAIN THE RIGHT OF RESTAURANT PROPRIETORS TO REFUSE SERVICE TO ANYONE REGARDLESS OF NATIONALITY, COLOR OR STATUS. FOURIE VOLUNTEERED TO LOCATE AND PROVIDE THE APPLICABLE LAWS AND REGULATIONS.

3. MYRIAD LAWS AND REGULATIONS ARE INVOLVED. IT HAS BEEN OUR UNDERSTANDING THAT THE SITUATION REGARDING DIPLOMATS IS AS FOURIE NOW STATES AND THAT FOREIGN NON-DIPLOMATIC BLACKS ENJOY AN UNCERTAIN DEGREE OF ACCEPTANCE IN ALL AREAS, WHILE ESTABLISHMENTS CONTEMPLATING SERVICE TO SOUTH AFRICAN BLACKS MUST TAKE THE INITIATIVE TO SECURE "INTERNATIONAL STATUS" UNDER REGULATIONS ADOPTED LAST YEAR (76 CAPE TOWN 141).  
BOWDLER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** RACIAL DISCRIMINATION, POLICIES  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Subject:** CONSULAR OFFICERS REFUSED ADMISSION TO JOHANNESBURG RESTAURANT  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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EO Systematic Review  
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**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009